

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MASSACHUSETTS

IN RE MASSACHUSETTS DIET DRUG LITIGATION

*Andrus, et al. v. Indevus Pharmaceuticals, Inc., et al.*

Civil Action No. 04-10911 GOA

Linda Marlene Johnson, Carla S. Alvanchi, Vickie L. Beinlich, Cynthia D. Cargile, Theresa S. Dresher, Terry Robert Gabrich, Sr. and Sharon E. Gabrich; Robert John Golias; Camille Denice Johnson; Edith A. Guffey; Lisa Henkel; Sherry L. Jackson; Linda S. Knelly; Janice A. Lukacinsky and Sheryl Van Sice; Sally Jane Minzey and Theodore Dale Minzey; Irma Ochoa and Armando Ochoa; Teresa Shuff and Joe Shuff; Bonnie L. Tacy; and, Victoria Vance,

Plaintiffs.

v.

Indevus Pharmaceuticals, Inc., F/K/A Interneuron Pharmaceuticals, Inc.; Wyeth, Inc., F/K/A American Home Products Corporation; Wyeth Pharmaceuticals, Inc F/K/A Wyeth-Ayerst Pharmaceuticals, Inc., A Division Of American Home Products Corporation; and Boehringer Ingelheim Pharmaceuticals, Inc.; Robert R. DeCapua; Justin D. Crum; Bernice J. Menzies; Michelle L. Carner; Larry D. Bayliff; Gerald E. Lubben; Joseph Schrei; Gail S. Rasak, Marlo F. Ponos (a/k/a Marlo F. Tate); Michael D. Zell; Gregory Fountain; Mary Ann Roberts; Lyn A. Adanich; Kathleen A. Welsh; Ronald L. Duemler; Dennis M. Thimm; Lance E. Reno; Cynthia M. Cowgill; Timothy S. Circle; Donell N. Henthorne; Melody Phillips-Williams; Steve Sneider; Richard A. Dilibero; Thomas M. Duggan; Jennifer Hetherington; Joanne M. Izykowski; Zoanne H. Pokriefka; Joseph DiFrancesco; Hope Tileston; Thomas A. Wiehn; Lisa M. Birken (a/k/a Lisa Greenbaum); Shonda S. Shores (a/k/a Shonda S. Kim); Christian K. Miner; Kimberly Ann Owen; Mary M. Bodenhamer; Alicia J. McDougal; Shannon O. Sage; and, John Doe.

Defendants.

STIPULATION OF  
DISMISSAL

Civil Action No.  
04-11427-GAO

**STIPULATION OF DISMISSAL**

The Plaintiffs in the above-referenced matter and the Defendants, Indevus Pharmaceuticals, Inc., Wyeth, Inc., Wyeth Pharmaceuticals, Inc., and Boehringer Ingelheim Pharmaceuticals, Inc., hereby stipulate pursuant to Fed.R.Civ.P. 41(a)(1)(ii), that the Plaintiffs claims against the Defendant Sales Representatives only: Robert R. DeCapua; Justin D. Crum; Bernice J. Menzies; Michelle L. Carner; Larry D. Bayliff; Gerald E. Lubben; Joseph Schrei; Gail S. Rasak, Marlo F. Ponos (a/k/a Marlo F. Tate); Michael D. Zell; Gregory Fountain; Mary Ann Roberts; Lyn A. Adanich; Kathleen A. Welsh; Ronald L. Duemler; Dennis M. Thimm; Lance E. Reno; Cynthia M. Cowgill; Timothy S. Circle; Donell N. Henthorne; Melody Phillips-Williams; Steve Sneider; Richard A. Dilibero; Thomas M. Duggan; Jennifer Hetherington; Joanne M. Izykowski; Zoanne H. Pokriefka; Joseph DiFrancesco; Hope Tileston; Thomas A. Wiehn; Lisa M. Birken (a/k/a Lisa Greenbaum); Shonda S. Shores (a/k/a Shonda S. Kim); Christian K. Miner; Kimberly Ann Owen; Mary M. Bodenhamer; Alicia I. McDougal; Shannon O. Sage; and, John Doe, be dismissed without prejudice and without costs.

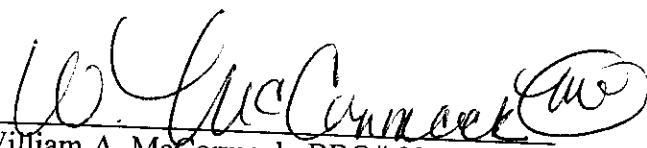
THE PLAINTIFFS,  
BY THEIR ATTORNEYS,



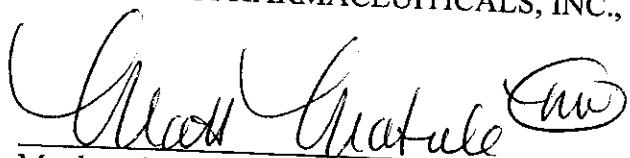
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DATED: July 21, 2004.

**CERTIFICATE OF SERVICE**

This is to certify that I have this day served Stipulation of Dismissal upon all served parties to the above-captioned action by first class, postage prepaid mail to the following:

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This 21st day of July, 2004.



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July 21, 2004

**Hand Delivered**

Mr. Mark Barrett,  
Docketing Clerk  
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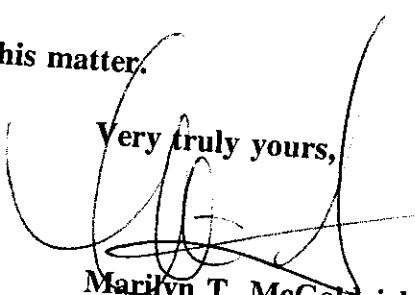
Re: Johnson, et al. v. Indevus, et al.  
C.A. # 04-11427-GOA

In Re Massachusetts Diet Drug Litigation, Andrus, et al. v. Indevus  
Pharmaceuticals, Inc., et al., Civil Action No. 04-10911 GOA

Dear Mr. Barrett:

Enclosed for filing in the above-referenced matter please find Plaintiffs' Stipulation of Service and Certificate of Service.

Thank you for your attention to this matter.

Very truly yours,  
  
Marilyn T. McGoldrick

MTM:mvc  
Enclosures

cc David C. Strouss, Esquire (w/o enclosures)  
Amy Carter, Esquire (w/o enclosures)  
Jory Lange, (w/o enclosures)  
Defendant's Counsel of Record